

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES R. GETSINGER,	)	No. C 11-01143 JF (PR)
	)	
Petitioner,	)	ORDER OF TRANSFER
	)	
vs.	)	
	)	
HARRY HAGEMAN, et al.,	)	
	)	
Respondents.	)	

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Petitioner, a parolee proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his sentence. Petitioner has paid the filing fee.

According to the petition, Petitioner was convicted of murder and sentenced to life in the State of New Jersey in January 1976. (Pet. at 2.) In January 1989, he was released on parole and transferred to California under “interstate parole.” (Id.) Petitioner claims he was given a term of 21 years with supervision, with a discharge date of January 2010. (Id.) When he began inquiring about his discharge papers in January 2010, he was told that a mistake had been made, and that his new discharge date was January 2099. (Id.) Petitioner was told that the change came from New Jersey. (Id.) Petitioner seeks cessation of parole supervision. (Id. at 1.)

Petitions challenging a conviction are preferably heard in the district of conviction.

1 See Habeas L.R. 2254-3(a); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968); cf.  
2 Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum  
3 to review execution of sentence). Although Petitioner resides in Fremont, California, he  
4 is serving a sentence for a conviction out of the State of New Jersey, which is not within  
5 the habeas jurisdiction of this Court. Furthermore, Petitioner is challenging an allegedly  
6 unlawful change in his discharge date that was made by the State of New Jersey.  
7 Accordingly, the Court finds that the United States District Court for New Jersey is the  
8 more appropriate venue for this action. This case is hereby TRANSFERRED to the  
9 United States District Court for New Jersey. See 28 U.S.C. §§ 110, 1404(a); Habeas L.R.  
10 2254-3(b)(1).

11 The Clerk shall transfer the entire file to the United States District Court for New  
12 Jersey.

13 IT IS SO ORDERED.

14 DATED: 5/5/11

  
JEREMY FOGEL  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES R GETSINGER III,  
Petitioner,

Case Number: CV11-01143 JF

**CERTIFICATE OF SERVICE**

v.

HARRY HAGEMAN, et al.,  
Respondents.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/19/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Charles R. Getsinger  
41060 High Street  
Suite B  
Fremont, CA 94538

Dated: 5/19/11

Richard W. Wieking, Clerk